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EXAMINER
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PILLAI, NAMITHA

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Technology Center 2100

**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Paper No. 19

Application Number: 09/551,899  
Filing Date: April 19, 2000  
Appellant(s): RAJALA ET AL.

Christopher W. Kennerly  
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed on 8/11/03.

**(1) *Real Party in Interest***

A statement identifying the real party in interest is contained in the brief.

**(2) *Related Appeals and Interferences***

A statement identifying the related appeals and interferences, which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

**(3) *Status of Claims***

The statement of the status of the claims contained in the brief is correct, wherein in addition to claims 1, 2, 4-6, 8 and 10-19 being finally rejected under 35 USC 103(a) over Isreal et al. (USPN 6,330,007) and Shaw et al. (USPN 6,104,392).

**(4) *Status of Amendments After Final***

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

**(5) *Summary of Invention***

The summary of invention contained in the brief is correct.

**(6) *Issues***

The appellant's statement of the issues in the brief is correct in reference to the final rejection of claims 1, 2, 4-6, 8 and 10-19 under 35 USC 103(a) over Isreal et al. (USPN 6,330,007) and Shaw et al. (USPN 6,104,392). Furthermore, the issues referred to include the rejection of claims 14-16 under 35 USC 101 as being directed to nonstatutory subject matter. The rejection of claims 14-16 under 35 USC 101 as being directed to nonstatutory subject matter has been withdrawn.

**(7) *Grouping of Claims***

The appellant's grouping of the claims as a single group is correct.

**(8) *Claims Appealed***

The copy of the appealed claims contained in Appendix A to the brief is correct.

**(9) *Prior Art of Record***

The following is a listing of the prior art of record relied upon in the rejection of claims under appeal.

6,330,007     Isreal et. al     12-2001

6,104,392     Shaw et. al     8-2000

**(10) *Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 4-6, 8 and 10-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over U. S. Patent No. 6,330,007 B1 (Isreal et al.) and U. S. Patent No. 6,104,392 (Shaw et al.).

Referring to claim 1, Isreal discloses a system for communicating transaction information between a Seller and a plurality of Buyers over a distributed data processing system. The graphical user interfaces that are created and displayed as seen in Figure 7 clearly depict a means for communicating transaction information between a host and various client systems. Isreal also discloses a database that is used for managing the plurality of user interface metadata elements (column 1, lines 63-65 and column 2, lines 23-25), and as seen in Figure 5, this metadata includes component identifications and component properties. Isreal also has a visual rule model using dialog boxes for configuring a plurality of graphical user interface dialog pages (Figures 4-6), utilizing the metadata and a plurality of dialog rules, wherein the metadata are pointed out by reference number 540 in Figure 5 and the dialog rules pertain to reference numbers 520-530 in Figure 5, used for creating graphical user interfaces. Isreal also does disclose a dialog manager used to create the graphical user interfaces based on the metadata elements (Figure 5) and dynamically create a plurality of graphical user interface screens in the distributed data processing systems in order to allow communication of information between the Seller and the plurality of Buyers related to the transaction (column 1, lines 5-10). Isreal does not disclose a plurality of rendering engines for responding to the creation of graphical user interfaces based on a distinct programming language. Shaw discloses a plurality of rendering engines adapted to respond to the client's request by constructing graphical user interfaces screens in different languages (reference numbers 52, 54, 56 and 58, Figure 1, column 5, lines 55-60). Shaw clearly states that a means for selecting the relevant rendering engines is based on the communication channel between a client and server (column 1, lines 31-37 and column 8, lines 14-17). As is the case with Isreal, wherein a dialog manager is disclosed, as stated earlier

in this rejection, it is necessary that Shaw contain such a dialog manager, represented as the session manager in Shaw, wherein this manager allows for the communication between protocol engines and display engines within Shaw's system, to determine the type of graphical user interface to be displayed, the selection of the proper display engine's specifications made through the dialog manager, based on the communications received from the protocol engines and the user's bandwidth capabilities (column 8, lines 4-7). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Isreal's invention such that the communication channel of the client system is considered and the graphical user interface screens were rendered based on this information, wherein the information is selected through a dialog manager. Shaw discloses that in networks where there are various clients connecting to one server, these clients will have varying capabilities as far as the bandwidth is concerned (column 1, lines 32-35). Isreal has a transaction system, wherein various clients will connect to one server and these clients will have varying bandwidth capabilities. In order to allow for unique performance of these varied clients, rendering techniques using certain protocols allows for the display of graphical user interfaces based on the bandwidth of the client's connection, as taught by Shaw, wherein the session manager of Shaw represented as the dialog manager, allows for communication with the other models such as protocol engines to determine the correct display engine, wherein the dialog manager or session manager facilitates the selection of the rendering engine based on communication with the protocol engine, the protocol engine allowing for the selection of the display capabilities based on the bandwidth of the user's system, the selection made through the dialog manager (column 8, lines 4-16). Hence, one skilled in the art would be motivated to learn from Shaw to use a plurality of rendering engines which will create

a plurality of graphical user interfaces in different programming languages based on the communication channel of a client, through a selection made from a dialog manager.

Referring to claims 2, 6, 12, 15 and 18, Shaw discloses that the language of one rendering engine comprises hypertext mark-up language (column 5, lines 57-60).

Referring to claims 4, 8, 11, 16 and 19, Shaw discloses using relatively low bandwidth communication channel such as an Internet connection for communicating (column 2, lines 9-15).

Referring to claims 5, 14 and 17, Isreal discloses a system for communicating transaction information between a Seller and a plurality of Buyers over a distributed data processing system. The graphical user interfaces that are created and displayed as seen in Figure 7 clearly depict a means for communicating transaction information between a host and various client systems. Isreal also discloses that a database is used for managing the plurality of user interface metadata elements (column 1, lines 63-65 and column 2, lines 23-25), and as seen in Figure 5, this metadata includes component identifications and component properties for the user interface for a transaction. Isreal also does disclose a dialog manager used to create the graphical user interfaces based on the metadata elements (Figure 5) and dynamically create a plurality of graphical user interface screens in the distributed data processing systems in order to allow communication of information between the Seller and the plurality of Buyers related to the transaction (column 1, lines 5-10). Isreal discloses that during interaction in a transaction system, the dialog manager as seen in Figure 5, is used to pass the metadata from a database (reference numbers 510 and 540, Figure 5) to dynamically construct a series of graphical user interface screens which include active and passive portions for presenting a plurality of product

options to the customer and to record the customer's selection (Figure 7). Isreal does not disclose a plurality of rendering engines for responding to the creation of graphical user interfaces based on a distinct programming language. Shaw discloses establishing a low bandwidth communication channel between server and client (column 8, lines 28-29). Shaw discloses a plurality of rendering engines adapted to respond to the client's request by constructing graphical user interfaces screens in different languages (reference numbers 52, 54, 56 and 58, Figure 1, column 5, lines 55-60). Shaw clearly states that a means for selecting the relevant rendering engines is based on the communication channel between a client and server (column 1, lines 31-37 and column 8, lines 14-17). It would have been obvious to one of ordinary skill in the art at the time the invention to modify Isreal's invention such that the communication channel of the client system is considered and the graphical user interface screens were rendered based on this information. Shaw discloses that in networks where there are various clients connecting to one server, these clients will have varying capabilities as far as the bandwidth is concerned (column 1, lines 32-35). Isreal has a transaction system, wherein various clients will connect to one server and these clients will have varying bandwidth capabilities. In order to allow for unique performance of these varied clients, rendering techniques using certain protocols allows for the display of graphical user interfaces based on the bandwidth of the client's connection, as taught by Shaw. Hence, one skilled in the art would be motivated to learn from Shaw to use a plurality of rendering engines which will create a plurality of graphical user interfaces in different programming languages based on the communication channel of a client.

Referring to claim 10, Isreal discloses a system for communicating transaction information between a Seller and a plurality of Buyers over a distributed data processing system. The graphical user interfaces that are created and displayed as seen in Figure 7 clearly depict a means for communicating transaction information between a host and various client systems. Isreal discloses communication between the client system and a server through a low bandwidth communication channel (column 6, lines 36-44). Isreal also discloses a database is used for managing the plurality of user interface metadata elements (column 1, lines 63-65 and column 2, lines 23-25), and as seen in Figure 5, this metadata includes component identifications and component properties for the user interface for a transaction. Isreal discloses that authors, who are part of the Sellers, are the ones creating the user interfaces, thus them having control of the metadata and the dialog manager, which are used to create these graphical user interfaces (column 5, lines 17-18). Isreal also does disclose a dialog manager used to create the graphical user interfaces based on the metadata elements (Figure 5) and dynamically create a plurality of graphical user interface screens in the distributed data processing systems in order to allow communication of information between the Seller and the plurality of Buyers related to the transaction (column 1, lines 5-10). Isreal discloses that during interaction in a transaction system, the dialog manager as seen in Figure 5, is used to pass the metadata from a database (reference numbers 510 and 540, Figure 5) to dynamically construct a series of graphical user interface screens which include active and passive portions for presenting a plurality of product options to the customer and to record the customer's selection (Figure 7). As seen in Figure 7 of Isreal, the transaction information is passed to the Buyer in the form of graphical user interface screens, which confine particular relevant portions of metadata (Figure 7). As seen in Figure 7

of Isreal, there is a means for receiving transaction information, by selecting a dynakey, picking from a list or entering a list number as directed by directions on the screen itself, from the Buyer by monitoring the interaction between the Buyer and the graphical user interface screens (Figure 7). Isreal does not disclose a plurality of rendering engines for responding to the creation of graphical user interfaces based on a distinct programming language. Shaw discloses establishing a low bandwidth communication channel between server and client (column 8, lines 28-29). Shaw discloses a plurality of rendering engines adapted to respond to the client's request by constructing graphical user interfaces screens in different languages (reference numbers 52, 54, 56 and 58, Figure 1, column 5, lines 55-60). Shaw clearly states that a means for selecting the relevant rendering engines is based on the communication channel between a client and server (column 1, lines 31-37 and column 8, lines 14-17). It would have been obvious to one of ordinary skill in the art at the time the invention to modify Isreal's invention such that the communication channel of the client system is considered and the graphical user interface screens were rendered based on this information. Shaw discloses that in networks where there are various clients connecting to one server, these clients will have varying capabilities as far as the bandwidth is concerned (column 1, lines 32-35). Isreal has a transaction system, wherein various clients will connect to one server and these clients will have varying bandwidth capabilities. In order to allow for uniform performance of these varied clients, rendering techniques using certain protocols allows for the display of graphical user interfaces based on the bandwidth of the client's connection, as taught by Shaw. Hence, one skilled in the art would be motivated to learn from Shaw to use a plurality of rendering engines which will create a plurality

of graphical user interfaces in different programming languages based on the communication channel of a client.

Referring to claim 13, Shaw discloses establishing a low bandwidth communication channel between server and client (column 8, lines 28-29).

**(10) *Response to Argument***

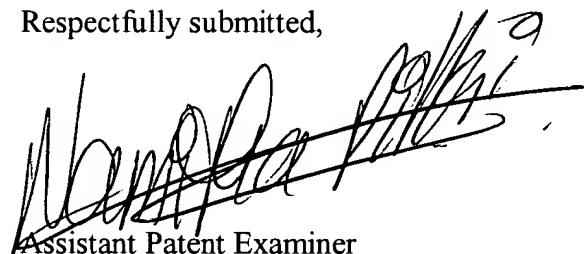
With regard to the claim 14, wherein the Appellant argues that “software embodied in computer-readable media and when executed operable to” provides certain recited functionality thus this claim containing statutory subject matter. The independent claim 14 recites “software embodied in computer-readable media” which as claimed is statutory. The rejection of claims 14-16 under 35 U.S.C. 101 as being directed to nonstatutory subject matter is withdrawn.

With regard to claims 1, 2, 4-6, 8 and 10-19, and the argument that Shaw does not teach or suggest a dialog manager operable to select one of the plurality of rendering engines for each Buyer based on a bandwidth of the Buyer’s communication channel. Shaw does suggest a dialog manager operable to select one of the plurality of rendering engines for each buyer based on a bandwidth of the buyer’s communication channel. A “dialog” as defined in the Microsoft Computer Dictionary Fifth Edition is the “exchange of signals by computers communicating on a network”. As referred to in Appellant’s specification disclosure, this dialog manger allows for the communication of a dialog manager module with the rendering engines and the rules maintenance module as shown in Figure 12 (See Specification, page 20, lines 12-16). A close inspection of Shaw discloses such a dialog manager, wherein this manager is operable to select one of the plurality of rendering engines for each buyer based on a bandwidth of the buyer’s communication channel. Shaw discloses a “session manager”, “display engine” and a “protocol

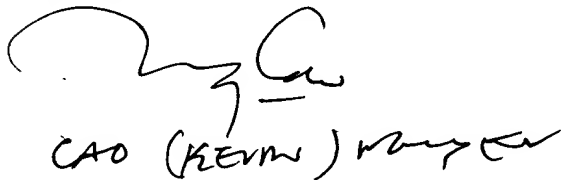
engine”, wherein the session manager serves the same purpose as that of the dialog manager of claim 1, by communicating with the display engine and protocol engine, to determine the means for serving to render the information requested by the user (column 8, lines 4-7). The session manager goes further to behave much like the dialog manager, by allowing for the selection of the correct engines for rendering purposes, based on the local performance factor information that is collected from a particular client, wherein the session manager through the communication with the protocol engine which determines the bandwidth data for a client, allows for the selection of the appropriate display rendering engine (column 4, lines 1-22 and column 11, lines 1-17). This local performance factor includes the client/user’s bandwidth capabilities and the session manager, much like Appellant’s dialog manager allows for the selection of the appropriate rendering engine, wherein Shaw allows for the selection and communication of the appropriate display engine with its appropriate protocol engine through the session manager. Accordingly, Isreal and Shaw teach the claimed subject wherein a dialog manager operable to select one of the plurality of rendering engines for each buyer based on a bandwidth of the buyer’s communication channel. Furthermore, the session manager of Shaw serves as this dialog manager, allowing for the selection of the rendering engine, of the plurality of rendering engines, wherein the rendering engine is chosen based on the bandwidth of the user’s communication channel.

For the above reasons, it is believed that the rejections should be sustained.

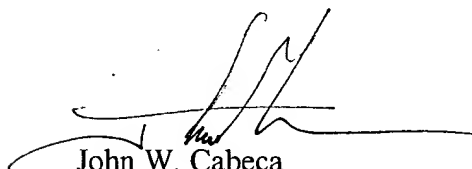
Respectfully submitted,

A handwritten signature in black ink, appearing to be "N. A. P. H. I.", written over a horizontal line.

Assistant Patent Examiner  
November 3, 2003

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Primary Patent Examiner (conferee)  
November 3, 2003

A handwritten signature in black ink, appearing to be "J. W. C. A. B. E. C. A.", written over a horizontal line.

John W. Cabeca  
Supervisory Patent Examiner  
November 3, 2003